

Serial: 241989

IN THE SUPREME COURT OF MISSISSIPPI

No. 2017-DR-01207-SCT

***JAMES COBB HUTTO, III A/K/A JAMES C. HUTTO
III A/K/A JAMES C. HUTTO A/K/A JAMES HUTTO
III A/K/A JAMES HUTTO A/K/A JAMIE HUTTO
A/K/A THE HITMAN A/K/A JAMES COBB HUTTO***

Petitioner

v.

STATE OF MISSISSIPPI

Respondent

EN BANC ORDER

This matter is before the Court on the Response to Order Granting Motion for Appointment of Counsel for Representation for Successive Petition for Post-Conviction Relief filed by the Circuit Court of Hinds County.

On April 19, 2022, the Court remanded the Motion for Appointment of Counsel for Representation for Successive Petition for Post-Conviction Relief to the circuit court. The Order instructed the trial court to “[t]ransport Hutto to the Circuit Court of Hinds County and have him make, with federal counsel present, an on the record statement under oath as to whether he wishes to proceed with a successive petition[.]”

Due to Hutto’s “history of violence and in light of the condition of the Raymond Detention Facility and ongoing transportation delays and travel restrictions between the facilities,” the circuit court seeks permission to hold the hearing virtually via closed circuit. Hutto’s federal habeas counsel and the State filed a joint response. They represent that Hutto “would prefer an in-person hearing, but he defers to this Court’s and the [c]ircuit [c]ourt’s discretion.”

After due consideration, the Court finds the circuit court’s request should be granted. The virtual hearing shall be conducted in compliance with Mississippi Rule of


Criminal Procedure 1.8.

IT IS, THEREFORE, ORDERED that the Response to Order Granting Motion for Appointment of Counsel for Representation for Successive Petition for Post-Conviction Relief filed by the Circuit Court of Hinds County is granted. The virtual hearing shall be conducted in compliance with Mississippi Rule of Criminal Procedure 1.8.

SO ORDERED.

ALL JUSTICES AGREE.

DIGITAL SIGNATURE
Order#: 241989
Sig Serial: 100005516
Org: SC
Date: 06/01/2022



Robert P. Chamberlin, Justice